

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:20-cv-00196-MR**

**JAMES BENJAMIN CHARLES,**

**Petitioner,**

**vs.**

**EDDIE M. BUFFALOE, Secretary,  
North Carolina Department of  
Public Safety,**

**Respondent.**

**ORDER**

**THIS MATTER** is before the Court on the *pro se* Petitioner's "Motion Requesting Documents Pertaining to Current Docket Pending under § 2254 by Movant and Currently Before This Court." [Doc. 21].

In the present motion, the Petitioner asks the Court to appoint attorney Ben Scales to represent him in this matter and to provide all documents related to his case so that he may respond to the Respondent's Motion for Summary Judgment.<sup>1</sup> [Doc. 21 at 3]. The Petitioner's motion appears to have been mailed on April 25, 2022, the same day that the Court entered an

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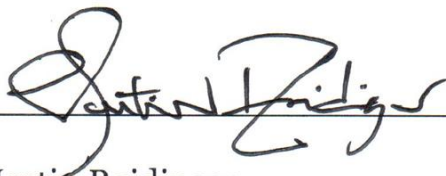
<sup>1</sup> The Petitioner also suggests—but does not specifically request—that the undersigned consider recusing himself from this matter. [See Doc. 21 at 4 ("if the court wishes to recuse himself from the case and eliminate any potential claims of impropriety I would understand")]. The Court, however, finds no basis for recusal in this matter.

Order denying Mr. Scales' motion to be appointed as counsel for the Petitioner; directing the Clerk's Office to provide copies of all the prior pleadings and Orders docketed in this case since the date of the Petitioner's relocation; and giving the Petitioner thirty (30) days to respond to the Respondent's Motion for Summary Judgment. [See Doc. 20]. Accordingly, the Petitioner's present motion is moot.

**IT IS, THEREFORE, ORDERED** that the *pro se* Petitioner's "Motion Requesting Documents Pertaining to Current Docket Pending under § 2254 by Movant and Currently Before This Court" [Doc. 21] is **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: May 5, 2022

  
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Martin Reidinger  
Chief United States District Judge

